## **REMARKS**

In connection with Applicants' Request for Continued Examination (RCE),
Applicants respectfully request entry of the foregoing and reexamination and
reconsideration of the subject matter identified in caption, as amended, pursuant to
and consistent with 37 C.F.R. §1.114, and in light of the remarks which follow.

Claims 20-23 and 25-50 are pending in this application. Claims 1-19 and 24 were previously cancelled.

Claim 20 has been amended to recite that the phrase "with the proviso that:" and to recite "wherein, when the compounds have at least one biuret bond and at least one aminoalkylsilane unit, the amino portion of the aminoalkylsilane unit is an amino group of the biuret." Support for this is found in the specification at least on page 15, lines 1-13 inconjunction with page 13, lines 5-10. Claim 35 has been amended to recite the process comprises two steps and adds the step of reacting the isocyanatoalkylsilane with an isocyanate to form a biuret and to recite that when the composition comprises a compound h and to aving at least one biuret bond and at least one aminoalkylsilane unit, the amino portion of the aminoalkylsilane unit is an amino group of the biuret. Support for this is found in the specification at least on page 15, lines 1-13. No new matter has been added in making these amendments.

Applicants thank the Examiner for courtesy of the telephone interview on July 17, 2008 and his suggestions regarding this matter.

## 35 U.S.C. §112 first paragraph

Claims 20-23, 25-34 and 38-48 have been rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

Claim 20 has been amended to recite that the amino portion of the aminoalkylsilane unit is an amino group of the biuret. Support for this is found in the specification at least on page 15, lines 1-13 which shows graphically that the amino portion of the

where R represents:

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" $-$ R1 $\Xi$  $-$ Si $(X$  $-$ R<sub>3</sub>) $n$ 

Applicants therefore request that this rejection be withdrawn.

## 35 U.S.C. §112 second paragraph

1. Claims 20-23 and 25-50 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regards as the invention. The Office Action indicates that the scope of the claim is unclear due to the language after the phrase "with the proviso that."

The amendment to claim 20, as above described above, particularly points out and distinctly claims the subject matter which applicants regards as the invention.

Applicants therefore request the withdrawal of the rejection these claims under 35 U.S.C. §112, second paragraph.

2. Claim 35 has been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regards as the invention. The Office Action indicates that the preamble references biuret functional groups but the recite method does not require biuret functional group in the reactants or in their formation.

Claim 35 has been amended to recite the steps in the process and recites the step of reacting the isocyanatoalkylsilane with an isocyanate to form a biuret.

Amended Claim 35 particularly points out and distinctly claims the subject matter which applicants regards as the invention.

Applicants therefore request the withdrawal of the rejection these claims under 35 U.S.C. §112, second paragraph.

## 35 U.S.C. §102(b) prior art rejection

Claims 35-37, 49 and 50 have been rejected under 35 U.S.C. §102(b) as being anticipated by Yamakado (JP 62-250021).

It is well established that in order to demonstrate anticipation under 35 U.S.C. § 102, each feature of the claim at issue must be found, either expressly described or under principles of inherency, in a single prior art reference. See, *Kalman v. Kimberly-Clark Corp.*, 218 USPQ 789 (Fed. Cir. 1983).

Yamakado teaches the reaction of the biuret of HDI (a trimer) with aminopropyltriethoxysilane. The reaction of the isocyanate functions of the biuret with the amine function of the silane results formation of material with a different structure due to the formation of urea bonds. This is shown in the structure on page 142 of Yamakado, which is reproduced below.

The amino portion of the aminoalkylsilane unit is not an amine group of the biuret, as required by claim 35 of the instant application, but rather is bonded to the

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amine functional group of the urea. Therefore claim 35, and claims depending from

claim 35, are not anticipated by Yamakado.

Applicants respectfully submit that claims 35-37, 49 and 50 are not anticipated

by JP 62-250021 to Yamakado and the rejection should be withdrawn.

In view of the foregoing, further and favorable action in the form of a Notice of

Allowance is believed to be next in order. Such action is earnestly solicited.

In the event that there are any questions related to this response, or the

application in general, it would be appreciated if the Examiner would telephone the

undersigned attorney at the below-listed telephone number concerning such

questions so that prosecution of this application may be expedited.

By:

Respectfully submitted,

**BUCHANAN INGERSOLL & ROONEY PC** 

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